

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO.1999-177-C - ORDER NO. 2000-0091
JANUARY 28, 2000

IN RE: Application of CenturyTel Long Distance,) ORDER
Incorporated For A Certificate of Public) GRANTING
Convenience and Necessity to Provide) CERTIFICATE
Intrastate Resold Telecommunications)
Services

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of the Application of CenturyTel Long Distance, Inc. ("CenturyTel" or the "Company") requesting a Certificate of Public Convenience and Necessity authorizing it to provide intrastate resold telecommunications services between and among locations within the State of South Carolina as a non facilities-based interexchange telecommunications service provider. The Company's Application was filed pursuant to S.C. Code Ann. § 58-9-280 (Supp. 1998) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed CenturyTel to publish, one time, a prepared Notice of Filing in newspapers of general circulation in the affected areas. The purpose of the Notice of Filing was to inform interested parties of CenturyTel's Application and of the manner and time in which to file the appropriate pleadings for participation in the proceeding. The Company complied with this instruction and

provided the Commission with proof of publication of the Notice of Filing. No Petitions to Intervene were filed.

A hearing was convened on November 18, 1999, at 2:30 p.m. in the Commission's Hearing Room at 101 Executive Center Drive, Columbia, South Carolina. The Honorable William Saunders, Vice Chairman, presided. Bonnie D. Shealy, Esquire, represented the Company. Jocelyn D. Green, Staff Counsel, represented the Commission Staff.

Pamela Morehead, Manager of Regulatory Affairs of CenturyTel, appeared and testified in support of the Application. As of the date of the hearing, Ms. Morehead had a little over twelve years of experience with the Company and she has been Manager Regulatory Affairs for three years. CenturyTel Long Distance, Inc. is a subsidiary of CenturyTel, Incorporated, an S&P 500 company and the ninth largest telephone service provider in the nation according to access lines, according Ms. Morehead's testimony. In addition, Ms. Morehead testified CenturyTel, Incorporated is prepared to financially support its subsidiary CenturyTel. In addition, CenturyTel, Inc. will support its subsidiary by providing management services, technical support, accounting, and legal services.

Upon certification, CenturyTel will offer direct dialing, inbound toll-free calling, operator-assisted services, travel card and prepaid debit card services. CenturyTel will not provide operator services at aggregator locations such as hospitals, motels, etc. CenturyTel's debit cards expire by a certain date. If a customer does not use the card by the expiration date, the card can be reactivated if the customer contacts the Company's

customer service department. The Company will operate as a switchless reseller and MCI WorldCom will be the Company's underlying carrier; Caprock Communications will operate as the Company's underlying carrier for debit card services. The Company will perform its own billing services and will use its own billing stock. The Company also has its own customer service department and CenturyTel's customer service toll-free telephone number does appear on each customer's bill.

The record reveals the management team of the Company consist of G. Clay Bailey (Vice President, Government Relations), Julie Burnett (Director of Marketing-Long Distance), Arvil Fowler (Vice President – Network Communications), and Rhonda Woodard (Director of Corporate Customer Service). According to Ms. Morehead, members of CenturyTel's management team have several years of combined experience in management, marketing, regulatory, technical, and customer service related skills.

The Company will market its services in South Carolina through direct mailings and outbound telemarketing. According to Ms. Morehead's testimony, CenturyTel will purchase a list from a vendor and utilize third-party verification. CenturyTel uses Advantage Line, a third-party verification company. After CenturyTel forwards information from a customer who wants to switch carriers to its third-party verifier, Advantage Line contacts the customer to verify that the customer wants to switch carriers. Most business customers are required to sign a letter of agency.

The Company has a zero tolerance slamming clause in contracts between CenturyTel and telemarketers. The Company also provides classroom training on slamming accompanied by a manual that is provided to the Company's telemarketing

firm. If the Commission Staff has questions regarding regulatory or financial issues concerning CenturyTel, it should contact Nancy Buchan; customer service inquiries should be directed to Karen Yeske.

After full consideration of the applicable law, the Company's application, and the evidence presented at the hearing, the Commission hereby issues its findings of fact and conclusions of law:

FINDINGS OF FACT

1. Legacy is organized as a corporation under the laws of the State of Louisiana and is authorized to do business as a foreign corporation in the State of South Carolina by the Secretary of State.
2. Legacy operates as a non facilities-based reseller of interexchange services and wishes to provide its services in South Carolina.
3. Legacy has the experience, capability, and financial resources to provide the services as described in its Application.

CONCLUSIONS OF LAW

1. Based on the above findings of fact, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to CenturyTel to provide intrastate interLATA service and to originate and terminate toll traffic within the same LATA, as set forth herein, through its own facilities and through the resale of intrastate Wide Area Telecommunications Services (WATS), Message Telecommunications Service (MTS), Foreign Exchange Service, Private Line Service, or any other services authorized for resale by tariffs of carriers approved by the Commission.

2. The Commission adopts a rate design for CenturyTel for its resale of interexchange services which includes only maximum rate levels for each tariff charge. A rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels has been previously adopted by the Commission. In Re: Application of GTE Sprint Communications Corporation, etc., Order No. 84-622, issued in Docket No. 84-10-C (August 2, 1984).

3. CenturyTel shall not adjust its interexchange rates below the approved maximum level without notice to the Commission and to the public. CenturyTel shall file its proposed rate changes, publish its notice of such changes, and file affidavits of publication with the Commission two weeks prior to the effective date of the changes. However, the public notice requirement is waived, and therefore not required, for reductions below the maximum cap in instances which do not affect the general body of subscribers or do not constitute a general rate reduction. In Re: Application of GTE Sprint Communications, etc., Order No. 93-638, issued in Docket No. 84-10-C (July 16, 1993). Any proposed increase in the maximum rate level for interexchange services reflected in the tariff which would be applicable to the general body of the Company's subscribers shall constitute a general ratemaking proceeding and will be treated in accordance with the notice and hearing provision of S.C. Code Ann. §58-9-540 (Supp. 1998).

4. If it has not already done so by the date of issuance of this Order, CenturyTel shall file its revised tariff and an accompanying price list within thirty (30)

days of receipt of this Order. The revised tariff shall be consistent with the findings of this Order and shall be consistent with the Commission's Rules and Regulations.

5. CenturyTel is subject to access charges pursuant to Commission Order No. 86-584, in which the Commission determined that for access purposes resellers and facilities-based interexchange carriers should be treated similarly.

6. With regard to the Company's resale of service, an end-user should be able to access another interexchange carrier or operator service provider if the end-user so desires.

7. CenturyTel shall resell the services of only those interexchange carriers or LECs authorized to do business in South Carolina by this Commission. If CenturyTel changes underlying carriers, it shall notify the Commission in writing.

8. CenturyTel shall file surveillance reports on a calendar or fiscal year basis with the Commission as required by Order No. 88-178 in Docket No. 87-483-C. The proper form for these reports is indicated on Attachment A.

9. The Company shall, in compliance with Commission regulations, designate and maintain an authorized utility representative who is prepared to discuss, on a regulatory level, customer relations (complaint) matters, engineering operations, tests and repairs. In addition, the Company shall provide to the Commission in writing the name of the authorized representative to be contacted in connection with general management duties as well as emergencies which occur during non-office hours. CenturyTel shall file the names, addresses and telephone numbers of these representatives with the Commission within thirty (30) days of receipt of this Order.

Attachment B shall be utilized for the provision of this information to the Commission.

Further, the Company shall promptly notify the Commission in writing if the representatives are replaced.

10. As a condition of offering debit card services, the Commission requires the Company to post with the Commission a bond in the form of a Certificate of Deposit worth \$5,000 drawn in the name of the Public Service Commission of South Carolina or a surety bond in the amount of \$5,000 which is payable to the Commission. The Certificate of Deposit shall be drawn on federal or state chartered banks or savings and loan associations which maintain an office in this state and whose accounts are insured by either the FDIC or the Federal Savings and Loan Insurance Corporation. A surety bond shall be issued by a duly licensed bonding or insurance company authorized to do business in South Carolina. This condition may be reviewed in one year.

11. If the Company sells its debit cards to retail establishments for resale of the debit cards, and the retailer of the debit cards deviates from the suggested retail price as filed in the tariff, or as approved by the Commission in a special promotion, then the Company will withdraw its cards from that retail outlet. This Commission strongly suggests that the Company enter into written agreements with its South Carolina retail outlets regarding this policy of abiding by suggested retail pricing prior to the outlet marketing the card.

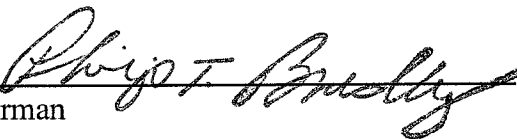
12. With regard to the origination and termination of toll calls within the same LATA, CenturyTel shall comply with the terms of Order No. 93-462, Order Approving

Stipulation and Agreement, in Docket Nos. 92-182-C, 92-183-C, and 92-200-C (June 3, 1993), and 47 CFR 51.209.

13. The Company is directed to comply with all Rules and Regulations of the Commission, unless a regulation is specifically waived by the Commission.

14. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

**ANNUAL SURVEILLANCE INFORMATION ON SOUTH CAROLINA OPERATIONS
FOR INTEREXCHANGE COMPANIES AND AOS'S**

COMPANY NAME

FEI NO.

ADDRESS

CITY, STATE, ZIP CODE

PHONE NUMBER

(1) SOUTH CAROLINA OPERATING REVENUES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.

(2) SOUTH CAROLINA OPERATING EXPENSES FOR THE 12 MONTHS ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.

(3) RATE BASE INVESTMENT IN SOUTH CAROLINA OPERATIONS* FOR
12 MONTHS ENDING DECEMBER 31 OR FISCAL YEAR ENDING _____.

* THIS WOULD INCLUDE GROSS PLANT, ACCUMULATED DEPRECIATION,
MATERIALS AND SUPPLIES, CASH WORKING CAPITAL, CONSTRUCTION WORK IN
PROGRESS, ACCUMULATED DEFERRED INCOME TAX, CONTRIBUTIONS IN AID OF
CONSTRUCTION AND CUSTOMER DEPOSITS.

(4) PARENT'S CAPITAL STRUCTURE* AT DECEMBER 31 OR FISCAL YEAR ENDING
_____.

* THIS WOULD INCLUDE ALL LONG TERM DEBT (NOT THE CURRENT PORTION
PAYABLE), PREFERRED STOCK AND COMMON EQUITY.

(5) PARENT'S EMBEDDED COST PERCENTAGE (%) FOR LONG TERM DEBT AND
EMBEDDED COST PERCENTAGE (%) FOR PREFERRED STOCK AT YEAR ENDING
DECEMBER 31 OR FISCAL YEAR ENDING _____.

(6) ALL DETAILS ON THE ALLOCATION METHOD USED TO DETERMINE THE AMOUNT
OF EXPENSES ALLOCATED TO SOUTH CAROLINA OPERATIONS AS WELL AS
METHOD OF ALLOCATION OF COMPANY'S RATE BASE INVESTMENT (SEE #3
ABOVE).

SIGNATURE

NAME (PLEASE TYPE OF PRINT)

TITLE

AUTHORIZED UTILITY REPRESENTATIVE INFORMATION

PURSUANT TO SOUTH CAROLINA PUBLIC SERVICE COMMISSION REGULATION

103-612.2.4(b) - Each utility shall file and maintain with the Commission the name, title, address, and telephone number of the persons who should be contacted in connection with General Management Duties, Customer Relations (Complaints), Engineering Operations, Test and Repairs, and Emergencies during non-office hours.

Company Name (Including dba Name(s) or Acronyms used or to be used in South Carolina)

Business Address

City, State, Zip Code

A.

General Manager Representative (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

B.

Customer Relations (Complaints) Representative (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

C.

Engineering Operations Representative (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

D.

Test and Repair Representative (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

E.

Contact for Emergencies During Non-Office Hours (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

F.

Financial Representative (Please Print or Type)

Telephone Number / Facsimile Number / E-mail Address

G.

Customer Contact Telephone Number for Company (Toll Free)

This form was completed by

Signature

**If you have any questions, contact the Consumer Services Department (803-896-5230)
or Utilities Department at (803-896-5105).**